

Message

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**From:** MARVIN, THOMAS [AG/1920] [thomas.marvin@monsanto.com]  
**Sent:** 10/31/2018 8:07:39 PM  
**To:** Baris, Reuben [Baris.Reuben@epa.gov]  
**Subject:** RE: example bulletin

We accept this language for use in Bulletins Live. Changes intended to reflect difference between FIFRA and ESA mitigations.

## Ex. 5 Deliberative Process (DP)

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Director, Federal Regulatory Affairs  
1300 I Street, NW  
Washington, DC 20005  
Cell: 202-676-7846  
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**From:** Baris, Reuben [mailto:Baris.Reuben@epa.gov]  
**Sent:** Wednesday, October 31, 2018 12:47 PM  
**To:** MARVIN, THOMAS [AG/1920] <thomas.marvin@bayer.com>  
**Subject:** RE: example bulletin

Please propose this back to the Agency.

In combination with the 110 foot in-field wind-directional spray drift buffer, a 57 foot omnidirectional infield buffer is required to protect federally listed threatened and endangered species. Non-sensitive areas defined below may be included as part of the buffer.

Non-sensitive areas – (must be consistent across all three labels)

- The following areas may be included in the buffer distance calculation when directly adjacent to the treated field edges:
  - Roads, paved or gravel surfaces, mowed and/or managed areas adjacent to field such as rights of way.
  - Planted agricultural fields containing: corn, dicamba tolerant cotton, dicamba tolerant soybean, sorghum, proso millet, small grains and sugarcane. If the applicator intends to include such crops as dicamba tolerant cotton and/or dicamba tolerant soybeans in the buffer distance calculation, the applicator must confirm the crops are in fact dicamba tolerant.
  - Agricultural fields that have been prepared for planting

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